

Message Text

CONFIDENTIAL

PAGE 01 OTTAWA 00164 190703Z
ACTION EUR-12

INFO OCT-01 ISO-00 TRSE-00 SSO-00 NSCE-00 SS-15 NSC-05
CIAE-00 INR-07 NSAE-00 INRE-00 DLOS-06 SAL-01 OES-06
L-03 INT-05 /061 W
-----190709Z 091984 /14

O 181657Z JAN 77
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC NIACT IMMEDIATE 2150

CONFIDENTIAL OTTAWA 0164

CORRECTED COPY (PARA 3 SUB-PARA 1 LINE 12)

FOR EUR/CAN - MR. ROUSE

E.O. 11652: GDS
TAGS: SENV, PBOV, EFIS, CA
SUBJECT: MARITIME BOUNDARY AND FISHERY NEGOTIATIONS

REF: OTTAWA 157

1. EXTAFF UNDER SECRETARY ROBINSON TELLS ME THIS MORNING
THAT HE EXPECTS TO MEET IN A JOINT DRAFTING SESSION THIS
EVENING.

2. FOLLOWING IS DRAFT OUTLINE OF JOINT PAPER FROM WHICH
I PROPOSE TO WORK, ALONG WITH REQUESTS FOR GUIDANCE.

3. BEGIN TEXT: FRAMEWORK FOR SETTLEMENT OF CANADA/US
MARITIME BOUNDARY AND FISHERY NEGOTIATIONS.

(1). THE TWO GOVERNMENTS WILL ENDEAVOR TO CONCLUDE
A SHORT TERM FISHERIES AGREEMENT TO EXPIRE DECEMBER 31,
1977. THE PATTERN OF FISHING UNDER THE AGREEMENT WOULD
BE CONSISTENT WITH THE STATUS QUO. THERE WOULD BE NO
PROVISION FOR JOINT MANAGEMENT, ENFORCEMENT OR SURVEILLANCE.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 OTTAWA 00164 190703Z

THE AGREEMENT WOULD BE CONSISTENT WITH COASTAL AND
JURISDICTION OUTSIDE THE AREA BETWEEN THE LINES PUBLISHED
BY THE TWO GOVERNMENTS. COMMENT: CANADIANS MAY WANT TO SOFTEN
THIS TO READ "PREPARED TO DISCUSS AN APPROACH THAT WOULD BE
CONSISTENT." IF SO, I WILL SUBMIT TO WASHINGTON WITHOUT
COMMITMENT). THE AGREEMENT WOULD BE WITHOUT PREJUDICE TO
PUBLISH CLAIMS OR THE OUTCOME OF SUBSEQUENT NEGOTIATIONS FOR

LONG TERM ARRANGEMENTS. (COMMENT: IF, AS EXPECTED, CANADIANS OBJECT TO THIS FORMULATION OF DISCLAIMER, MAY I ACCEPT FORMULATION IN THEIR ORDER IN COUNCIL: "WITHOUT PREJUDICE TO ANY NEGOTIATIONS RESPECTING THE LIMITS OF MARITIME JURISDICTION," OR THE ONE IN THEIR AIDE MEMOIRE OF JANUARY 17: "NOT PREJUDICIAL TO THE POSITIONS OF EITHER GOVERNMENT ON THE BOUNDARIES ISSUE."?) NO EXTENSION WOULD BE ENVISAGED. (COMMENT: IT MAY BE NECESSARY TO HAVE A SPLIT TEXT HERE, WITH THE CANADIANS CALLING FOR EXTENSION AND THE US STATING THAT IT WOULD NOT EXCLUDE AGREEMENT TO SHORT TERM FISHERY ARRANGEMENTS FOR A LIMITED PERIOD FOLLOWING 1977 IN THE EVENT OF THIRD PARTY SETTLEMENT, BUT ONLY WHERE MUTUALLY SATISFACTORY AGREEMENT ON THE REFERENCE HAD BEEN REACHED IN ADVANCE.)

(2). THE TWO GOVERNMENTS WILL ENDEAVOR TO NEGOTIATE A PERMANENT REGIME FOR THE GULF OF MAINE DURING 1977. DURING THESE NEGOTIATIONS, FOUR ELEMENTS WILL BE ADDRESSED: BOUNDARIES, LONG-TERM FISHERY ARRANGEMENTS, LONG-TERM HYDROCARBON ARRANGEMENTS, AND MARINE POLLUTION ARRANGEMENTS. THE INTERRELATIONSHIPS OF THE FOUR ELEMENTS CANNOT BE DESCRIBED AT THE PRESENT TIME. NEGOTIATIONS ON BOUNDARY AND RELATED QUESTIONS WILL RESUME IN LATE FEBRUARY. NEGOTIATIONS ON LONG-TERM FISHERY ARRANGEMENTS WILL RESUME IN (BLANK). (COMMENT: PER OTTAWA 157, I HOPE TO BE AUTHORIZED TO FILL THIS BLANK IN AS "MID MARCH".)

(3). IF THE TWO COUNTRIES DO NOT REACH AGREEMENT ON THE GULF OF MAINE MARITIME BOUNDARY BY DECEMBER 31, 1977,
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 OTTAWA 00164 190703Z

THEY WILL SUBMIT THE BOUNDARY ISSUE TO THIRD PARTY SETTLEMENT. (COMMENT: I WILL PUSH FOR INCLUSION OF THE WORD "BINDING" BUT MAY SETTLE FOR "CONCLUSIVE" IN THE TERMS OF SECSTATE 010198, PARA 5. IN LATTER CASE, THERE WOULD BE A NOTE IN THIS PARAGRAPH OR IN PARA ONE STATING THAT US WOULD ENVISAGE SHORT-TERM FISHERIES ARRANGEMENTS AFTER 1977 ONLY IF A MUTUALLY SATISFACTORY AGREEMENT ON THIRD PARTY PREFERENCE HAD BEEN REACHED IN ADVANCE.)

(4). DURING 1977 THE TWO GOVERNMENTS WILL PROCEED WITH NEGOTIATIONS ON THE THREE OTHER MARITIME BOUNDARIES. WHERE APPROPRIATE, THE FOUR ELEMENTS LISTED IN PARA TWO ABOVE WOULD BE ADDRESSED. SHOULD THE TWO GOVERNMENTS NOT REACH AGREEMENT ON ONE OR SEVERAL OF THESE BOUNDARIES THEY WOULD AGREE WHETHER OR NOT TO SUBMIT IT OR THEM TO THIRD PARTY SETTLEMENT. (COMMENT: AS IN PARA 3, I WOULD PRESS FOR "BINDING" AND SETTLE FOR "CONCLUSIVE" AS NECESSARY.) END TEXT.

4. MY AGREEMENT WITH ROBINSON IS THAT NEITHER SIDE
WILL TABLE A DRAFT, BUT THAT THERE WOULD BE A JOINT DRAFTING
SESSION. RESULT WOULD BE SUBMITTED TO WASHINGTON FOR CONFIRMA-
TION.
ENDERS

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptoning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, NEGOTIATIONS, FISHING AGREEMENTS, FISHING LIMITS
Control Number: n/a
Copy: SINGLE
Sent Date: 18-Jan-1977 12:00:00 am
Decapton Date: 01-Jan-1960 12:00:00 am
Decapton Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977OTTAWA00164
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770018-0881
Format: TEL
From: OTTAWA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770141/aaaabkx.tel
Line Count: 121
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: e27547d5-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 OTTAWA 157
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 20-Dec-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3572210
Secure: OPEN
Status: NATIVE
Subject: MARITIME BOUNDARY AND FISHERY NEGOTIATIONS
TAGS: SENV, PGOV, EFIS, CA, US
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/e27547d5-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009